

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN LEE FOSTER,

Plaintiff,

V.

WARDEN,

Defendant.

Case No. 1:22-cv-01359-AWI-HBK (PC)

ORDER TO SUBMIT ENCLOSED
APPLICATION TO PROCEED *IN FORMA*
PAUPERIS OR PAY FILING FEE WITHIN 30
DAYS

Plaintiff—a prisoner—initiated this action by filing a *pro se* civil rights complaint under 42 U.S.C. § 1983 on October 24, 2022. (Doc. No. 1). Plaintiff did not accompany the complaint with the \$402.00 filing fee or an application to proceed *in forma pauperis* under 28 U.S.C. § 1915. Accordingly, it is **ORDERED**:

Within **thirty (30) days** of receipt of this order, Plaintiff shall either: (1) complete the attached application to proceed *in forma pauperis*; or (2) pay the \$402.00 filing fee. If Plaintiff fails to timely comply with this order, or request an extension by showing good cause, the undersigned will recommend the Court dismiss this case for Plaintiff's failure to comply with a court order and/or prosecute this action.

Dated: November 9, 2022

Helena M. Barch - Kuchta
HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE